

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT LEE CHILDRESS, #365065,

Plaintiff,

CIVIL ACTION NO. 10-11008

v.

DISTRICT JUDGE MARK A. GOLDSMITH

JOHN MICHALKE,

MAGISTRATE JUDGE MARK A. RANDON

Defendant.

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**ORDER DENYING PLAINTIFF'S
MOTIONS TO COMPEL DISCOVERY (DKT. NOS. 168 and 172)**

This matter is before the Court on two motions: (1) Plaintiff's Motion for Court Order to Compel Discovery Material (Dkt. No. 168); and (2) Plaintiff's Ex Parte Motion for Court Order to Compel Discovery Material (Dkt. No. 172). Plaintiff seeks an order requiring the Secretary of State and the Macomb County Clerk to produce documents at no cost to Plaintiff.

Plaintiff's motions are **DENIED**; the Court cannot waive the costs associated with obtaining the documents. *See Smith v. Yarrow*, 78 Fed.Appx. 529, 544 (6th Cir. 2003) ("[a] prisoner plaintiff proceeding *in forma pauperis* may seek a waiver of certain pretrial filing fees, but there is no constitutional or statutory requirement that the government or Defendant pay for an indigent prisoner's discovery efforts") (citing *Johnson v. Hubbard*, 698 F.2d 286, 289 (6th Cir. 1983) (holding that there is no constitutional or statutory requirement to waive an indigent prisoner plaintiff's costs)).

IT IS ORDERED.

s/Mark A. Randon

Mark A. Randon

United States Magistrate Judge

Dated: December 4, 2012

Certificate of Service

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, December 4, 2012, by electronic and/or ordinary mail.

s/Melody Miles

Case Manager